

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Application Number: 09/966,109

Filing Date: October 1, 2001

First Named Inventor: Cordula HOPMANN

Group Art Unit: 1623

Examiner: Elli Peselev

Attorney Docket Number: 02481.1751-00000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] _____.
- ii. ☐ Other _____
- b. ☒ Enclosed:
- i. ☒ Amendment/Reply
- ii. ☒ Declaration
- iii. ☐ Information Disclosure Statement
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. Fees

- a. ☒ The filing fee is calculated as follows:
- i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Petition for extension of time for (5 Months) \$2,010.00
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$2,780.00 enclosed.
- c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Charles E. Van Horn

Reg. No.: 40,266

Signature: *Charles E Van Horn*

Date: May 20, 2004

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: [Date]

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PATENT
Customer No. 22,852
Attorney Docket No. 02481.1751

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Cordula HOPMANN, et al.)	Group Art Unit: 1623
)	
Application No.: 09/966,109)	Examiner: Elli Peselev
)	
Filed: October 1, 2001)	
)	
For: CITRULLIMYCINES, A PROCESS)	
FOR THEIR PRODUCTION AND)	
THEIR USE AS)	
PHARMACEUTICALS)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION UNDER 37 C.F.R. § 1.114

In response to the final Office Action mailed June 6, 2003, the period for response being extended to June 6, 2004 by a Notice of Appeal filed November 6, 2003, and a Petition for a five month extension of time filed concurrently herewith, please consider the following remarks and amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims in this paper.

Remarks follow the amendment sections of this paper and begin on page 9.